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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,072	12/01/2003	Yun Chur Chung	117905	1744
25944. OLIFF & BERF	7590 01/11/200° RIDGE, PLC	EXAMINER		
P.O. BOX 1992	8	SEDIGHIAN, REZA		
ALEXANDRIA, VA 22320		·	ART UNIT	PAPER NUMBER
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SHORTENED STATUTORY	Y PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE	
3 MONTHS		01/11/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Endensions of time may be available under the provision of 37 CPR 1.70(4). In or event, however, may a reply be timely filed after SIX (6) MCNTHS from the making date of this communication. Failube for payly whilin the set or received period for reply will, by status, cause the applicant to become ABANDANDE (38 U.S. CS. § 133). Any reply received by the Office later than three months after the mailing date of this communication. Failube for payly whilin the set or received period for reply will, by status, cause the applicant to become ABANDANDE (38 U.S. CS. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any seared patent term adjustment. Set 37 CPR 1.704(b). Status 1) Responsive to communication(s) filled on 01 December 2003. 2a) This action is FINAL. 2b) This action is FINAL. 2b) This action is FINAL. 2c) This action is FINAL. 2c) This action is FINAL. 2c) Claim(s) 1.11 is/are pending in the application. 4a) Claim(s) 1.11 is/are pending in the application. 4a) Claim(s) 1.11 is/are pending in the application. 4a) Claim(s) 1.12 is/are rejected. 7c) Claim(s) 1.12 is/are objected to. 8c) Claim(s) 2.11 is/are objected to. 8c) Claim(s) 2.11 is/are objected to. 8c) Claim(s) 2.11 is/are objected to. 8c) Claim(s) 3.12 is/are objected to restriction and/or election requirement. Application Papers 9c) The specification is objected to by the Examiner. 10) The drawing(s) filed on 01 December 2003 is/are: a) accepted or b) objected to by the Examiner. Application Papers 9c) The action of requires that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The cath or declaration is objected to by the Examiner. N		Application No.	Applicant(s)				
M. R. Sedighlan — The MAILING DATE of this communication appears on the cover sheet with the correspondence address— Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. HAVE A COMMUNISH from the maining date of the communication. HAVE Opered for reply is applied above, the maximum statutory period will apply and will expire SM (6) MONTHS from the maining date of the communication. HAVE Opered for reply is applied above, the maximum statutory period will apply and will expire SM (6) MONTHS from the maining date of the communication. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHITE COMMUNICATION. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHITE COMMUNICATION. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHITE COMMUNICATION. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHITE COMMUNICATION. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHITE COMMUNICATION. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHITE COMMUNICATION. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHITE COMMUNICATION. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHITE COMMUNICATION. HAVE OPERED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH (S) DAYS, WHITE STATUTORY IS SET TO EXPIRE 3 MONTH (S) OR THIRTY (30) DAYS, white several period statutory period of the communication. HAVE OPERED STATUTORY PERIOD FOR THE MAILING STATUTORY IS SET TO EXPIRED STATUTORY IN THE MAILING STATUTORY IS SET TO EXPIRED STATUTORY IN THE MAILING STATUTORY IS SET TO EXPIRED STATUTORY IN THE MAILING STATUTORY IS SET TO EXPIRED STATUTORY IN THE MAILING STATUTORY IS SET TO EXPIRED STATUTORY IN THE		10/724,072	CHUNG ET AL.				
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Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. *Attachment(s) Notice of References Cited (PTO-892)	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).						
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Application/Control Number: 10/724,072

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1. This communication is responsive to applicant's 12/1/03 preliminary amendments. The amendments have been entered. Claims 1-11 are now pending.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Chung et al. (US Patent No: 6,813,021 B1).

Regarding claim 1, Chung teaches an apparatus for monitoring an optical signal-to-noise ratio (col. 2, lines 15-20), comprising: an orthogonal polarization component module for receiving an optical signal and outputting it after removing a signal component thereof at a specific frequency band (col. 1, lines 10-20, col. 2, lines 25-35); and calculating means for measuring both average optical intensity and electrical noise component intensity of the optical signal outputted from the orthogonal polarization component module (col. 2, lines 35-55, col. 3, lines 5-13).

4. Claims 2-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. R. Sedighian whose telephone number is (571) 272-3034. The examiner can normally be reached on 9 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M. R. SEDIGHIAN
PRIMARY EXAMINER